

## THE FATE OF DERVISH PROPERTY UNDER OTTOMAN ADMINISTRATION IN THE NINETEENTH CENTURY

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When Mustafa Kemal as President of the Turkish Republic outlawed the dervish orders and closed their monasteries in 1925, he did not meet with serious opposition. There were no massive uprisings on the part of the dervishes or the people; with a single act from a secular government, the dervishes passed from the pages of Turkish history.

It is to be wondered how this was possible. Throughout all of Ottoman history the dervishes played a prominent part, from the formation of the empire to the last days of Abdulhamid II. The dervish orders represented an infinitude of branches and beliefs, and were closely associated with the common people, providing them with a popular faith that was more accessible than orthodox Islam. How, then, could this impressive institution that was so much a part of the life of the Turkish people be suddenly swept away, seemingly overnight?

The answer to this question can be found in the fact that the economic independence of the dervish orders had been eroding for well over a century. Much of this economic decline is directly attributable to the policies of Sultan Mahmud II. By the second decade of the nineteenth century, Mahmud II succeeded in reversing a process of political decentralization that had occurred over the course of the past two centuries. He restored the absolutism of the Ottoman sultanate, chiefly by putting an end to the semi-independent feudal aristocracies in the provinces, and by destroying the Janissaries, who had become a Praetorian guard and were the military arm of reaction. Following the abolition of the Janissaries in 1826, Mahmud II outlawed the Bektashi order of dervishes with whom they were allied. Once freed from political and military opposition to his policies, Mahmud was at liberty to attend to restoring the finances of the empire. More troubling than the feudal dynasties and their ambivalent stance toward the central government was the steady loss of revenue as landed property increasingly became converted to religious endowment. It is estimated that at the beginning of the nineteenth century from two-thirds to three-fourths of the land of the empire had become vakif (pl. evkaf), that is, religious foundation property. Much of this vakif property was immune from taxation, and thus represented a loss of revenue to the government. It was Mahmud II's intention to regain this property for the imperial fisc.

The dervishes derived their income from evkaf, religious endowments which were usually in the form of land, but which also consisted of roofed property, mines, and livestock. By the beginning of the nineteenth century, a certain percentage of this property had not withstood the test of time. Due to inflation, natural disasters, or mismanagement of revenue, vakif property became unproductive, unable to yield revenue, or indebted. Increasingly, dervishes who were thus deprived of vakif income were forced to look elsewhere for some means of financial support. It became customary for dervishes and sheyhs to petition local officials for rations and salaries. The practice developed of provincial governors authorizing payments from public revenue, whether from the capitation tax on non-Muslims, or the tax on imports or profits in a city. Over time,

these fixed allotments became insufficient due to inflation, and the dervishes were obliged to request an increase in rations or stipends.

Mahmud II must have necessarily perceived the dervishes as a parasitic class that was a drain on the Treasury. His first measure was to put an end to their dependency on government income. The sultan issued imperial directives to provincial governors that it was forbidden to grant dervishes increases in stipends or rations from the tax revenue of a province. This order became a matter of policy throughout the empire. Apart from this directive, Mahmud II used documentation as a means of controlling unauthorized expenditure of provincial revenue. Any sheyh or dervish who did not possess a valid title deed stating that he was entitled to state income was not to receive it. This policy proved effective: in many cases, the agreement reached between the local officials and the dervishes had been simply oral in nature; when it was in writing, the dervishes could not produce their records, as the documents had become misplaced or lost over time.

After Mahmud II's death and the beginning of the period of Tanzimat reform in 1839, a policy was made uniform throughout the empire that the free assignment of government revenue was prohibited, as it reflected an unbalanced account in the Treasury. In future, the dervishes were not to draw upon state income, but had to await the assignment of revenue by the government from salaries of religious offices that became vacated on the death of the holder. In order for the dervishes to receive income, it was contingent that a vacancy occur. While this policy favoured a few, it did not answer the plight of the many who were suddenly denied a traditional source of economic support. In the early 1840's, in the first years of Tanzimat administration, the Ministry for Imperial Religious Foundations received numerous petitions from dervishes and sheyhs who complained that from the beginning of the Tanzimat in 1839 their rations had been cut off, and they requested their reinstatement. The official reply of the government was to state that to do so was impossible and strictly contrary to regulation.

It may be assumed that over the course of time the government held the line, and the dervishes ceased to be a drain on sources of revenue in the provinces. There remained, however, the larger problem of reclaiming for the fisc the majority of landed property throughout the empire that had become vakif. Abolition of religious foundations, or their outright seizure, was unthinkable, and for the average Muslim unconscionable. A solution to this seemingly intractable problem lay readily at hand, nonetheless; and this was in the nature of most vakif land.

In the mid sixteenth century the heartland of the Ottoman dominions, Anatolia and the Balkans, were declared state lands by Ebussuud, Sheyhulislam to Suleyman II and Selim II, and as such the chief canonical functionary of the empire. Ebussuud determined that landed property in these regions was to remain the inalienable right of the state. When the government granted these lands to military and religious officials in lieu of pay, it was not giving the ownership of the land itself, but only a right to part of its revenue. The lands of Anatolia and Rumelia were therefore leased under conditions resembling a perpetual lease, similar to Byzantine emphyteusis.

Once the status of these conquered lands had been laid down, the condition of their tenure posed a difficulty for the creation of vakif. A fundamental requirement for a vakif to be valid was that it had to be property in the full and unencumbered ownership of the founder. This condition was not possible for state land. Consequently, if this requirement for creating vakif from landed property strictly held, the growth of pious endowments under Ottoman rule would doubtless have been arrested. The difficulty was solved by permitting an exception to be made. While it was recognized that only the substance of landed property could be made vakif, a quasi-legal vakif came into being whereby the fruits of the land or its revenue were made vakif. This legal fiction permitted vakif to be created from state lands, with the result that over the course of the next two centuries religious foundations burgeoned throughout the empire.

There was a weakness to the system of state lands created by Ebussuud that he could not have envisioned. This system presupposed a strong central government. After the death of Suleyman II in 1566, the sultanate declined over the course of two and a half centuries, and effective power ebbed to the provinces. In such a situation, state lands ceased to be held in precarious tenure, but came to be regarded as private property, and evkaf created from state lands was increasingly used as a sinecure.

The majority of foundations that were created, especially in the eighteenth century, were of an unusual nature. The two kinds of vakif that were traditionally recognized were vakf-i hayri, that is, beneficial or charitable vakif, and vakf-i ehli, or family vakif. Vakf-i hayri was a foundation that was of direct benefit to mankind, such as a school, hospital, hospice, library, mosque, and the like. Vakf-i ehli, on the other hand, directly benefitted the founder and his descendants to the extinction of the family line, at which time the income reverted to some charitable purpose, usually to feeding and sheltering the poor. In the eighteenth century, the majority of the foundations that came into being were a combination of these two types, and were known as semi-familial. By way of example, the founder of a dervish monastery would appoint himself head sheyh and would reserve that office for designated heirs, such as the eldest male of the family. The same would be true for other offices, such as professor of a theological school that the founder created. Most commonly, the founder would appoint himself and designated descendants the administrator or inspector of the vakif, thereby ensuring control of the revenue.

Lands that were granted to dervishes during the first Ottoman conquest were given on a quid pro quo basis. They were given with the understanding that conquered open land would be brought under cultivation, and the monasteries that were founded would be used as way stations for travelers and the military, and hospices for mendicant dervishes and the poor. Once brought under cultivation, these vakif lands were given tax exemptions in writing. When the government assessed all the lands of the empire for taxation purposes at the beginning of the Tanzimat in 1839, a number of dervishes protested that they should not be held liable for taxes since they possessed tax immunities. The government's reply was that tax exemptions had been originally granted on condition that the dervishes feed and provide for the poor. But since subsequently sheyhs, zaviyedars, and mutevellis began taking over lands for their own naked profit, they were not to be excused from taxes on lands held by this kind of deed. Which is to say, the government did not at all countenance the creation of semi-familial evkaf which benefitted the founder and his posterity.

With the introduction of the Tanzimat, the dervishes ceased to administer their landed property. The administrators of landed vakif property were reminded of the provisional nature of vakif made from state lands. The government was, in fact, claiming its right to tax and administer what were essentially state lands. Thus, the business of tax collecting no longer fell to the cabis, the agents of the vakif for collecting revenue, but to the tax farmers who were agents of the government.

The revenue from vakif property was received by the government in the form of a downpayment, the bedel-i iltizam, from the tax farmer, who would then proceed to recover the sum, and whatever he could besides. The advance payment went to the Treasury, and from there it was transferred to the treasury for imperial religious foundations. But there were frequent complaints that vakif revenue was retained by the state treasury and not handed over to the vakif treasury or to the rightful administrators. In addition, there were complaints by the dervishes and vakif administrators that the tax farmers after taking out the vakif tithe would offer a cash price for the harvest which was invariably low. The dervishes insisted that the tax farmers pay them in kind in order to receive full value. Although there were repeated injunctions by the government that the tax farmers pay the dervishes in kind, it is doubtful these orders were heeded.

In the early years of Tanzimat administration, there was some attempt on the part of the Evkaf Ministry to pay the salaries of dervishes and to repair their monasteries,-- to such an extent that the first Evkaf Ministers have been criticized for spending time and money on the repair of monasteries to the exclusion of other buildings that were in need of attention.

Occasionally, the repair of a single dervish lodge could entail unforeseen expense, as with the Mevlevihane in Uskudar. According to an official memorandum of 1844, the Mevlevihane was to be repaired with an outlay of 43,092 guruh. But according to the sheyh of the monastery, the semahane, the main conventicle for the performance of music and dance, lacked sufficient space, and therefore had to be demolished and enlarged. According to the Director of Public Works it was found that such an improvement was contingent upon the additional outlay of 51,195 guruh, raising the total expenditure to 94,287. It was noted that as the vakif for the Mevlevihane was without revenue, provision would have to be made for procuring the necessary funds from the income of the great imperial vakifs, the Laleli or Hudavendigâr evkafi.

A report of the same year describes the escalating repair costs for the restoration of the Halvetiye tekke in Tekfurdagi. Sheyh Ibrahim Efendi tekkesi was to be repaired according to initial estimate with the expenditure of 10,500 guruh. But when work was undertaken to restore the tekke, it appeared that the stated amount proved insufficient. With the additional outlay of 5,000 guruh, the repairs were still not completed, and 4,000 guruh more was requested by the sheyh to finish the work. From an original estimate of 10,500 guruh, the final sum escalated to 21,000-- and this for one tekke. As the Halvetiye tekke belonged to a vakif that had ceased to provide revenue, funding had to come from either the Laleli or Hudavendigâr evkaf, the great selatin foundations of sultans Mustafa III and Murad I.

In the same year, 1844, it was reported the restoration work was necessary for the tekke of Shaban-i veli in Kastamonu. The monastery walls were covered with some rotting material, and scraping them clean and painting them with a coat of primer could be realized with the outlay of 57,627.5 guruh, according to an estimate made in the district. Permission for expenditure of this amount had been requested by the local council. Upon examination of the monastery's vakif records, it was discovered that while the monastery had an existing surplus of only 800 guruh, the vakif had ceased to provide adequate income for years. The official reply to the request for funds was that as the vakif of the tekke was insolvent, and owing to the fact that the treasury was in difficult straits, permission would not be forthcoming to authorize the said repairs.

In making itself the administrator of much of the evkaf property throughout the empire, the Evkaf Ministry took on the responsibility of meeting the cost of repairing vakif buildings of every kind. It soon became apparent that such an enormous undertaking could not be sustained. The outlay for a single tekke on the verge of collapse was considerable, and the revision of initial estimates that invariably ensued only increased the cost. And because these buildings were attached to evkaf that was either indebted or ceased to yield a revenue, provision for expenditure had to be sought elsewhere. The Evkaf Treasury allocated revenue at first from the Laleli and Hudavendigâr evkafi to cover expense for such repairs. But continual demands on these sources of revenue in time depleted them.

It was clear that the Evkaf Ministry had to put an end to cost increases that were based on revised estimates for repairs. By the year 1863, the amount that an administrator was permitted to expend on repairs from the revenue of a vakif was 500 guruh. Any amount over and above this sum had to be approved by the evkaf director of the region and by the provincial council. Even then, the maximum that could be obtained was 2500 guruh. If repairs were to exceed this figure, then approval had to be sought from the Evkaf Treasury. Obtaining funds for repairs exceeding 500 guruh proved to be difficult and time consuming. The administrator had first to petition the provincial council, then, when the council determined that a need for repair was valid, an official statement describing the request and confirming its necessity was prepared by the local evkaf director. Upon review and approval of this statement by the provincial council, the evkaf director, in the accompaniment of a member of the local council, proceeded to the district where the building in need of restoration was located. There in the presence of the local council, the evkaf director held a lowest bid auction, and awarded the construction to the master builder who tendered the lowest estimate for repairs. It was incumbent upon the evkaf director to ensure that the fee settled on did not exceed 2500 guruh. Naturally, these bureaucratic constraints did little to foster the repair and restoration of religious foundations.

Thus, while the first Evkaf Ministers attempted to reform evkaf administration and restore vakif property, their efforts soon became untenable as soaring costs and revised estimates drained the Evkaf Treasury of revenue. Reform minded and well-intentioned, their individual endeavours were ineffectual in the face of a governmental policy that was against them. The tax farmers paid their advance sums to the state Treasury, not to the Evkaf Treasury; and it was the government that gave the Evkaf Treasury this revenue in increasingly diminishing amounts. Given this situation, the Evkaf Ministers were clearly not masters of their own house. In addition, as they held their office only for brief tenure, and as the post of Evkaf Minister was only one of a number of appointments they held, it is not surprising to find that the Evkaf Ministers were ignorant of evkaf matters and that the Evkaf Ministry was filled with abuse.

Sultan Mahmud II and state ministers of the Tanzimat period of reform had succeeded in bringing about a major revolution-- the transfer of all the evkaf revenue of the empire under a single government administration, the Evkaf Ministry. This transition meant complete government control of vakif income during the course of the nineteenth century. The price paid for the success of this policy was a general decline of religious foundations, and an end to patronage of the dervish orders in the Ottoman Empire.

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